

STATE OF MISSOURI
DEPARTMENT OF NATURAL RESOURCES

MISSOURI CLEAN WATER COMMISSION



MISSOURI STATE OPERATING PERMIT

In compliance with the Missouri Clean Water Law, (Chapter 644 R.S. Mo. as amended, hereinafter, the Law), and the Federal Water Pollution Control Act (Public Law 92-500, 92nd Congress) as amended,

Permit No.: MO-0002356

Owner: BCP Ingredients, Inc.
Owner's Address: PO Box 175, Slate Hill, NY 10973

Continuing Authority: Same as above
Address: Same as above

Facility Name: BCP Ingredients, Inc.
Facility Address: 299 Extension Street, Verona, MO 65769

Legal Description: SE ¼, NW ¼, Sec. 17, T26N, R26W, Lawrence County
Latitude/Longitude: See page 2

Receiving Stream: Spring River and subsurface waters (P)
First Classified Stream and ID: Spring River #3(P)(03165)
USGS Basin & Sub-watershed No.: (11070207-010001)

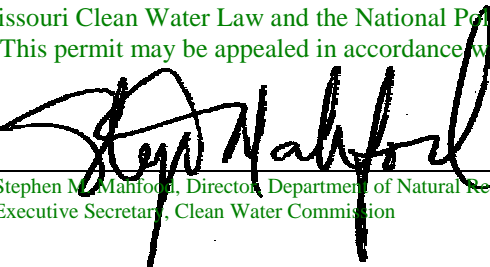
is authorized to discharge from the facility described herein, in accordance with the effluent limitations and monitoring requirements as set forth herein:

FACILITY DESCRIPTION

See page 2

This permit authorizes only wastewater discharges under the Missouri Clean Water Law and the National Pollutant Discharge Elimination System; it does not apply to other regulated areas. This permit may be appealed in accordance with Section 644.051.6 of the Law.

May 21, 1999 February 22, 2002
Effective Date Revised


Stephen M. Mahfood, Director, Department of Natural Resources
Executive Secretary, Clean Water Commission

May 20, 2004
Expiration Date
MO 780-0041 (10-93)

Interim Director of Staff, Clean Water Commission

FACILITY DESCRIPTION

Outfall #001 - Industrial Process Wastewater - SIC #2833, #2048 & #2869
Non-contact cooling water and boiler blowdown with an average daily flow of 20,000 gallons.

Latitude/Longitude: +3657523/-09347561

Outfall #002 - Industrial Process Wastewater - SIC #2833, #2048 & #2869
Aerated lagoon/all process wastewater and sludge is hauled off-site to a permitted treatment facility. Design average flow is 12,300 gallons per day. Domestic wastewater has been eliminated from Outfall #002 and is now connected to City of Verona Sewer System.

Latitude/Longitude: +3657577/-09348016

Outfall #003 - Industrial Process Wastewater - SIC #2833, #2048 & #2869
Stormwater runoff.

Sample at interior stormwater detention outfall at North fence line.

Latitude/Longitude: +3657594/-09347559

Outfall #004 - Industrial Process Wastewater - SIC #2833, #2048 & #2869
Stormwater runoff.

Sample at interior stormwater detention outfall West fence line, at SPCC shutoff valve.

Latitude/Longitude: +3657522/-09348024

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS					PAGE NUMBER 3 of 9	
					PERMIT NUMBER MO-0002356	
The permittee is authorized to discharge from outfall(s) with serial number(s) as specified in the application for this permit. The final effluent limitations shall become effective upon issuance and remain in effect until expiration of the permit. Such discharges shall be controlled, limited and monitored by the permittee as specified below:						
OUTFALL NUMBER AND EFFLUENT PARAMETER(S)	UNITS	FINAL EFFLUENT LIMITATIONS			MONITORING REQUIREMENTS	
		DAILY MAXIMUM	WEEKLY AVERAGE	MONTHLY AVERAGE	MEASUREMENT FREQUENCY	SAMPLE TYPE
<u>Outfall #001</u> (Note 1)						
Flow	MGD	*		*	once/weekday**	24 hr. estimate
Temperature	°C (°F)	***		32 (90)	once/month	grab
Biochemical Oxygen Demand ₅	mg/L	45		30	once/month	****
Total Suspended Solids	mg/L (lbs/day)	45 (34.1)		30 (22.8)	once/month	****
Total Organic Carbon	mg/L	*		*	once/month	****
Chemical Oxygen Demand	mg/L	*		*	once/month	****
Total Residual Chlorine	mg/L	0.5			once/month	grab
pH - Units	SU	*****		*****	once/month	grab
<u>Spring River Upstream and Downstream</u> (Note 2)						
Flow	MGD	*		*	once/month	24 hr. estimate
Biochemical Oxygen Demand ₅	mg/L	*		*	once/month	grab
Total Suspended Solids	mg/L	*		*	once/month	grab
pH - Units	SU	*****		*****	once/month	grab
Chemical Oxygen Demand	mg/L	*		*	once/month	grab
Ammonia as N	mg/L	*		*	once/month	grab
Nitrate as N	mg/L	*		*	once/month	grab
MONITORING REPORTS SHALL BE SUBMITTED <u>MONTHLY</u> ; THE FIRST REPORT IS DUE <u>April 28, 2002</u> .						
Whole Effluent Toxicity (WET) Test	% Survival	See Special Conditions			once/quarter*****	24 hr. composite
MONITORING REPORTS SHALL BE SUBMITTED <u>QUARTERLY</u> ; THE FIRST REPORT IS DUE <u>July 28, 2002</u> .. THERE SHALL BE NO DISCHARGE OF FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.						
B. STANDARD CONDITIONS						
IN ADDITION TO SPECIFIED CONDITIONS STATED HEREIN, THIS PERMIT IS SUBJECT TO THE ATTACHED <u>Part I</u> STANDARD CONDITIONS DATED <u>October 1, 1980 and August 15, 1994</u> , AND HEREBY INCORPORATED AS THOUGH FULLY SET FORTH HEREIN.						

					PAGE NUMBER 4 of 9	
A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS					PERMIT NUMBER MO-0002356	
The permittee is authorized to discharge from outfall(s) with serial number(s) as specified in the application for this permit. The final effluent limitations shall become effective upon issuance and remain in effect until expiration of the permit. Such discharges shall be controlled, limited and monitored by the permittee as specified below:						
OUTFALL NUMBER AND EFFLUENT PARAMETER(S)	UNITS	FINAL EFFLUENT LIMITATIONS			MONITORING REQUIREMENTS	
		DAILY MAXIMUM	WEEKLY AVERAGE	MONTHLY AVERAGE	MEASUREMENT FREQUENCY	SAMPLE TYPE
Outfall #002-Discharge to Surface Water (Note 3)						
Flow	MGD	*		*	once/day	24 hr. estimate
Outfalls #003 & #004 (Note 4)						
Flow	MGD	*		*	once/quarter*****	instantaneous estimate
Biochemical Oxygen Demand ₅	mg/L	45		30	once/quarter*****	grab
Total Suspended Solids	mg/L	75		35	once/quarter*****	grab
Chemical Oxygen Demand	mg/L	*		*	once/quarter*****	grab
Oil and Grease	mg/L	15		10	once/quarter*****	grab
Rainfall	inches/day	*		*	once/day	grab
pH - Units	SU	*****		*****	once/quarter*****	grab
MONITORING REPORTS SHALL BE SUBMITTED <u>QUARTERLY</u> ; THE FIRST REPORT IS DUE <u>July 28, 2002</u> .						
Whole Effluent Toxicity (WET) Test	% Survival	See Special Conditions			once/quarter*****	24 hr. composite
MONITORING REPORTS SHALL BE SUBMITTED <u>QUARTERLY</u> ; THE FIRST REPORT IS DUE <u>July 28, 2002</u> .. THERE SHALL BE NO DISCHARGE OF FLOATING SOLIDS OR VISIBLE FOAM IN OTHER THAN TRACE AMOUNTS.						
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MO 780-0010 (8/91)

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

- * Monitoring requirement only.
- ** Once each weekday means: Monday, Tuesday, Wednesday, Thursday and Friday.
- *** See Special Conditions.
- **** A composite sample made up from a minimum of four grab samples collected within a 24 hour period with a minimum of two hours between each grab sample.
- ***** Sample once per quarter in the months of March, June, September & December.
- ***** pH is measured in pH units and is not to be averaged. The pH is limited to the range of 6.0-9.0 pH units.
- ***** pH is measured in pH units and is not to be averaged. The pH is to be maintained at or above 6.0 pH units.

Note 1 - Temperature shall be monitored prior to the discharge entering the Spring River. Other Outfall #001 parameters shall be monitored where the discharge enters the "west ditch".

Note 2 - Upstream at Spring River Bridge crossing immediately south of the plant site and downstream immediately north of the plant site.

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (continued)

Note 3 - There shall be no discharge to waters of the state from the lagoon. If a discharge occurs, report the discharge to the department within 24 hours. See Special Condition #5.

Note 4 - Each outfall is to be sampled and reported separately and are not to be composited. Sampling shall be performed within the first hour of a storm water discharge event. Rainfall shall represent the total amount of precipitation occurring at this location during each 24-hour period.

C. SPECIAL CONDITIONS

1. This permit may be reopened and modified, or alternatively revoked and reissued, to:
 - (a) Comply with any applicable effluent standard or limitation issued or approved under Sections 301(b)(2)(C) and (D), 304(b)(2), and 307(a) (2) of the Clean Water Act, if the effluent standard or limitation so issued or approved:
 - (1) contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or
 - (2) controls any pollutant not limited in the permit.
 - (b) Incorporate new or modified effluent limitations or other conditions, if the result of a waste load allocation study, toxicity test or other information indicates changes are necessary to assure compliance with Missouri's Water Quality Standards.
 - (c) Incorporate new or modified effluent limitations or other conditions if, as the result of a watershed analysis, a Total Maximum Daily Load (TMDL) limitation is developed for the receiving waters which are currently included in Missouri's list of waters of the state not fully achieving the state's water quality standards, also called the 303(d) list.

The permit as modified or reissued under this paragraph shall also contain any other requirements of the Clean Water Act then applicable.

2. Whole Effluent Toxicity (WET) tests will be conducted as follows:

SUMMARY OF WET TESTING FOR THIS PERMIT				
OUTFALL	A.E.C. %	FREQUENCY	SAMPLE TYPE	MONTH
#001	20%	Quarterly	24 hour composite	March, June, September & December
#003 & #004	20%	Quarterly	grab	

a. Test Schedule and Follow-Up Requirements

- (1) Perform a single-dilution test in the months and at the frequency specified above.

If the test passes the effluent limit do not repeat test until the next test period. Submit results with the annual report.

If the test fails the effluent limit a multiple dilution test shall be performed within 30 days, and biweekly thereafter until one of the following conditions are met:

- (a) THREE CONSECUTIVE MULTIPLE-DILUTION TESTS PASS. No further tests need to be performed until next regularly scheduled test period.
- (b) A TOTAL OF THREE MULTIPLE-DILUTION TESTS FAIL.

C. SPECIAL CONDITIONS (continued)

2. Whole Effluent Toxicity (WET) tests (continued)

a. Test Schedule and Follow-Up Requirements (continued)

- (2) The permittee shall submit a summary of all test results for the test series to the Planning Section of the WPCP, DNR, Box 176, Jefferson City, MO within 14 days of the third failed test. DNR will contact the permittee with initial guidance on conducting a toxicity identification evaluation (TIE) or toxicity reduction evaluation (TRE). The permittee shall submit a plan for conducting a TIE or TRE to the Planning Section of the WPCP within 60 days of the date of DNR's letter. This plan must be approved by DNR before the TIE or TRE is begun. A schedule for completing the TIE or TRE shall be established in the plan approval.
- (3) Upon DNR's approval, the TIE/TRE schedule may be modified if toxicity is intermittent during the TIE/TRE investigations. A revised WET test schedule may be established by DNR for this period.
- (4) If a previously completed TIE has clearly identified the cause of toxicity, additional TIEs will not be required as long as effluent characteristics remain essentially unchanged and the permittee is proceeding according to a DNR approved schedule to complete a TRE and reduce toxicity. Regularly scheduled WET testing as required in part b.(1) will be required during this period.
- (5) In addition to the WET test summary report required in part (2), all failing test results shall be reported to DNR within 14 days of the availability of results.
- (6) All WET test results for the reporting period shall be summarized and submitted to DNR by the end of the following October. When WET test sampling is required to run over one DMR period, each DMR report shall contain information generated during the reporting period.

b. PASS/FAIL procedure and effluent limitations

- (1) To pass a single-dilution test, mortality observed in the AEC test concentration shall not be significantly different (at the 95% confidence level; $p = 0.05$) than that observed in the upstream receiving-water control. The appropriate statistical tests of significance will be those outlined in the most current USEPA acute toxicity manual or those specified by the MDNR.
- (2) To pass a multiple-dilution test:
 - (a) the computed percent effluent at the edge of the zone of initial dilution (AEC) must be less than three-tenths (0.3) of the LC_{50} concentration for the most sensitive of the test organisms, or,
 - (b) all dilutions equal to or greater than the AEC must be nontoxic. Failure of one multiple-dilution test is considered an effluent limit violation.

c. Test Conditions

- (1) Test species: *Ceriodaphnia dubia* and fathead minnows, *Pimephales promelas*. Organisms used in WET testing should come from cultures reared for the purpose of conducting toxicity tests and should be cultured in a manner consistent with the most current USEPA guidelines. All test animals should be cultured as described in EPA-600/4-90/027.
- (2) Test period: 48 hours at the "Acceptable Effluent Concentration" (AEC) specified above.

C. SPECIAL CONDITIONS (continued)

c. Test Conditions (continued)

- (3) When dilutions are required, upstream receiving stream water will be used as dilution water. If upstream water is unavailable or if mortality in the upstream water exceeds 10%, "reconstituted" water will be used. Procedures for generating reconstituted water will be supplied by the Department of Natural Resources (DNR).
 - (4) Tests should be initiated immediately after the sample is collected, but tests must be initiated no later than 36 hours after collection.
 - (5) Single-dilution tests will be run with:
 - (a) Effluent at the AEC concentration;
 - (b) 100% receiving-stream water (if available), collected upstream of the outfall at a point beyond any influence of the effluent; and
 - (c) reconstituted water.
 - (6) Multiple-dilution tests will be run with:
 - (a) 100%, 50%, 25%, 12.5%, and 6.25% effluent, unless the AEC is less than 25% effluent, in which case dilutions will be 4 times the AEC, two times the AEC, AEC, 1/2 AEC and 1/4 AEC.
 - (b) 100% receiving-stream water (if available), collected upstream of the outfall at a point beyond any influence of the effluent; and
 - (c) reconstituted water.
 - (7) If reconstituted-water control mortality for a test species exceeds 10%, the entire test will be rerun.
- 3. Beyond the mixing zone, water contaminants shall not raise or lower the temperature of the stream more than five degrees (5°)F. Water contaminants shall not cause or contribute to stream temperatures in excess of ninety degrees (90°)F. Note: Water contaminants are as defined in 10 CSR 20-2.010(60).
 - 4. There shall not be any violations of water quality standards in 10 CSR 20-7.031. Nothing in this permit shall be construed as authorizing any exceedance of the water quality standards.
 - 5. Process wastewater flows shall be hauled off-site to a permitted treatment facility or recycled within the manufacturing process.
 - 6. Sludge shall be removed and transported off-site to a permitted treatment or disposal facility.
 - 7. Domestic wastewater flows shall be discharged to City of Verona sewer system.
 - 8. There shall be design capacity for at least 60 days storage for wastewater flows plus the one in ten year rainfall minus evaporation and the 25 year, 24 hour rainfall.
 - 9. Laboratories conducting testing for this permit shall participate in the U.S. Environmental Protection Agency lab Quality Assurance and Control (QA/QC) program.
 - 10. At least once/year, split samples shall be collected from all outfalls for TKN, ammonia nitrogen and nitrate/nitrite nitrogen, chloride, sodium, TOC, COD, phenol, formaldehyde, methylene chloride, methanol, acetone, ethylene oxide, and hydrogen sulfide. The second sample shall be analyzed at a separate independent laboratory.

C. SPECIAL CONDITIONS (continued)

11. Report as no-discharge when a discharge does not occur during the report period.
12. Outfalls must be marked in field and on a topographic map. The map shall be submitted to the department within 30 days after permit issuance.

13. Changes in Discharges of Toxic Substances

The permittee shall notify the Director as soon as it knows or has reason to believe:

- (a) That any activity has occurred or will occur which would result in the discharge of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels:"

- (1) One hundred micrograms per liter (100 µg/L);
- (2) Two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/L) for 2,5 dinitrophenol and for 2-methyl-4, 6-dinitrophenol; and one milligram per liter (1 mg/L) for antimony;
- (3) Five (5) times the maximum concentration value reported for the pollutant in the permit application;
- (4) The level established in Part A of the permit by the Director.

- (b) That they have begun or expect to begin to use or manufacture as an intermediate or final product or byproduct any toxic pollutant, which was not reported in the permit application.

14. General Criteria. The following water quality criteria shall be applicable to all waters of the state at all times including mixing zones. No water contaminant, by itself or in combination with other substances, shall prevent the waters of the state from meeting the following conditions:

- (a) Waters shall be free from substances in sufficient amounts to cause the formation of putrescent, unsightly or harmful bottom deposits or prevent full maintenance of beneficial uses;
- (b) Waters shall be free from oil, scum and floating debris in sufficient amounts to be unsightly or prevent full maintenance of beneficial uses;
- (c) Waters shall be free from substances in sufficient amounts to cause unsightly color or turbidity, offensive odor or prevent full maintenance of beneficial uses;
- (d) Waters shall be free from substances or conditions in sufficient amounts to result in toxicity to human, animal or aquatic life;
- (e) There shall be no significant human health hazard from incidental contact with the water;
- (f) There shall be no acute toxicity to livestock or wildlife watering;
- (g) Waters shall be free from physical, chemical or hydrologic changes that would impair the natural biological community;
- (h) Waters shall be free from used tires, car bodies, appliances, demolition debris, used vehicles or equipment and solid waste as defined in Missouri's Solid Waste Law, section 260.200, RSMo, except as the use of such materials is specifically permitted pursuant to section 260.200-260.247.

SUMMARY OF TEST METHODOLOGY FOR WHOLE-EFFLUENT TOXICITY TESTS

Whole-effluent-toxicity test required in NPDES permits shall use the following test conditions when performing single or multiple dilution methods. Any future changes in methodology will be supplied to the permittee by the Missouri Department of Natural Resources (MDNR). Unless otherwise specified by MDNR, procedures should be consistent with Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms, EPA/600/4-90/027.

Test conditions for Ceriodaphnia dubia:

Test duration:	48 h
Temperature:	25 ± 2°C
Light Quality:	Ambient laboratory illumination
Photoperiod:	16 h light, 8 h dark
Size of test vessel:	30 mL (minimum)
Volume of test solution:	15 mL (minimum)
Age of test organisms:	<24 h old
No. of animals/test vessel:	5
No. of replicates/concentration:	4
No. of organisms/concentration:	20 (minimum)
Feeding regime:	None (feed prior to test)
Aeration:	None
Dilution water:	Upstream receiving water; if no upstream flow, synthetic water modified to reflect effluent hardness.
Endpoint:	Mortality (Statistically significant difference from upstream receiving water control at $p \leq 0.05$)
Test acceptability criterion:	90% or greater survival in controls

Test conditions for (Pimephales promelas):

Test duration:	48 h
Temperature:	25 ± 2°C
Light Quality:	Ambient laboratory illumination
Photoperiod:	16 h light/ 8 h dark
Size of test vessel:	250 mL (minimum)
Volume of test solution:	200 mL (minimum)
Age of test organisms:	1-14 days (all same age)
No. of animals/test vessel:	10
No. of replicates/concentration:	4 (minimum) single dilution method 2 (minimum) multiple dilution method
No. of organisms/concentration:	40 (minimum) single dilution method 20 (minimum) multiple dilution method
Feeding regime:	None (feed prior to test)
Aeration:	None, unless DO concentration falls below 4.0 mg/L; rate should not exceed 100 bubbles/min.
Dilution water:	Upstream receiving water; if no upstream flow, synthetic water modified to reflect effluent hardness.
Endpoint:	Mortality (Statistically significant difference from upstream receiving water control at $p \leq 0.05$)
Test Acceptability criterion:	90% or greater survival in controls

WATER QUALITY STANDARDS REVIEW SHEET

FACILITY NAME: DuCoa, Verona Plant NPDES #: MO-0002356

RECEIVING STREAM: Spring River

DESIGN FLOW: #001 -- non-contact cooling water; boiler blowdown--20,000 gpd

#002 -- surface runoff and subsurface seepage from irrigation system, and
process wastes (no discharge)

#003 and #004 -- stormwater runoff

#005-#010 -- monitoring wells

#014 and #015 -- stormwater runoff

BENEFICIAL USES OF RECEIVING STREAM:

Spring River: Livestock, wildlife watering; aquatic life protection;
whole-body-contact recreation; boating.

Groundwater aquifer: Livestock, wildlife watering; drinking water supply;
irrigation.

STREAM DESIGN LOW FLOW (7Q10) -- 3.2 cfs

Standard conventional-pollutant limits for storm water runoff outfalls are acceptable. Water-quality-based limits or detection limits for detected constituents, as are included in the draft permit for all discharge outfalls and monitoring wells, are acceptable.

Whole-effluent toxicity (WET) testing should be performed for all discharge outfalls and monitoring wells. The test dilution should be computed as per the following. The "acceptable effluent concentration" (AEC) for performing a WET test is computed from a dilution available at the edge of the zone of initial dilution (ZID):

$3.2 \text{ cfs} \times 50\% = 1.6 \text{ cfs'}$ mixing zone. 1.6 cfs' mixing zone $\times 10\% = 0.16 \text{ cfs}$ in ZID.
 $0.16 \text{ cfs} / 0.03 \text{ cfs} (.02 \text{ MGD}) = 5$ times dilution in the ZID. $1 / 5 = 20\% = \text{AEC}$.
WET tests on surface discharges therefore should be conducted with an AEC of 20%.

WET tests of ground-water monitoring wells should be conducted with an AEC of 100%

REVIEWER: RG

DATE: 2-23-96

Section Chief: JM

Date of Fact Sheet: February 25, 1999

Date of Public Notice: August 6, 1999

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT
FACT SHEET

This Fact Sheet explains the applicable regulations, rationale for development of this permit and the public participation process.

NPDES PERMIT NUMBER: MO-0002356

FACILITY NAME: DuCoa-Verona Plant.

OWNER NAME: DuCoa L.P.

LOCATION: SE¼, NW ¼, Sec. 17, T26N, R26W, County: Lawrence

RECEIVING STREAM: Spring River and subsurface waters (Spring River Basin)

FACILITY CONTACT PERSON: Paul Mayer

TELEPHONE: 417/498-2241

FACILITY DESCRIPTION AND RATIONALE

DuCoa L.P., P.O. Box 219, Highland, IL 62249 owns and operates the DuCoa-Verona Plant located at Main Street, Verona, MO 65769

DuCoa L.P. has applied for the reissuance of their NPDES permit number MO-00002356. The discharge from the three (3) outfalls go into the Spring River, Spring River Basin in Sec. 17, T26N, R26W, Lawrence County. Outfall #001 consists of once-through non-contact cooling water and boiler blowdown with an average daily flow of 20,000 gallons. All industrial process wastewater at Outfall #002 is hauled off-site to a permitted treatment facility and all domestic wastewater is now connected to the City of Verona Sewer System. Outfalls #003 and #004 consist of stormwater runoff.

The Spring River is listed for the following beneficial uses in 10 CSR 20-7.031: aquatic life support; livestock and wildlife watering; boating; whole-body-contact recreation.

Effluent limitations and monitoring requirements are being established in accordance with the Water Quality Standards, Department Effluent Regulations, 10 CSR 20-7.015.

This permit will be issued for a period of five years.

FACT SHEET
DuCoa-Verona Plant
MO-0002356

PUBLIC PARTICIPATION

Public comments on the proposed permit are being requested in accordance with Public Participation regulation under 10 CSR 20-6.020.

A copy of the public notice and this fact sheet are being forwarded to the applicant, the District Engineer of the U.S. Army Corps of Engineers, the U.S. Fish and Wildlife Service, the Environmental Protection Agency and the Missouri Department of Conservation. Other interested individuals may obtain a copy on request by writing to the address listed below for comment letters.

Comments should be confined to the issues relating to the proposed action and permit and their effect on water quality. The Missouri Department of Natural Resources may not consider comments or objections to a permit based on questions of zoning, location, or other non-water quality issues. See, Curd v. MO Clean Water Commission, 586 S.W. 2d 58 (Mo. App. 1979).

The proposed determinations of the draft permit are tentative pending the public notice process.

Persons wishing to comment upon or object to the proposed determinations are invited to submit them in writing to: Department of Natural Resources, Division of Environmental Quality, (Missouri Clean Water Commission), P.O. Box 176, Jefferson City, Missouri 65102, ATTN: Philip A. Schroeder, Chief of Permit Section. Please include the permit number of the draft permit in all comment letters.

Within 30 days from the public notice date, as listed on page one, all water quality comments received will be considered in the formulation of all final determinations regarding this application. If response to the public notice indicates significant public interest, a public hearing may be held after due notice. Public hearing and/or issuance of the NPDES permit will be processed according to 10 CSR 20-6.020.

Copies of all draft permits, comments and other information are available for inspection and copying at the Department of Natural Resources, Division of Environmental Quality, (Missouri Clean Water Commission) Water Pollution Control Program, P.O. Box 176, 205 Jefferson Street, Jefferson City, Missouri 65102.

PERMIT REGULATIONS

The Federal Water Pollution Control Act ("Clean Water Act" Section 402 Public Law 92-500 as amended) established the National Pollutant Discharge Elimination System (NPDES) permit program. This program regulates the discharge of pollutants from point sources into the waters of the United States. All such discharges are unlawful without a permit (Section 301 of the "Clean Water Act"). After a permit is obtained, a discharge not in compliance with all permit terms and conditions is unlawful. NPDES permits in Missouri are issued by the Director of the Department of Natural Resources under an approved NPDES program, operating in accordance with federal and state laws (Federal "Clean Water Act" and "Missouri Clean Water Law" Section 644 as amended).

WATER QUALITY STANDARDS

10 CSR 20-7.031 Missouri Water Quality Standards, Missouri Department of Natural Resources (the Department) "defines the Clean Water Commission's water quality objectives in terms of water uses to be maintained and the criteria to protect those uses".

EFFLUENT LIMITATIONS

In order to protect these beneficial uses and the water quality of surface waters and groundwater, effluent limitations are being established under federal and state laws. The monitoring requirements for all parameters have been established by the Department in compliance with 10 CSR 20-7.015 Effluent Regulation.

The current Department effluent regulations 10 CSR 20-7.015 states that non-domestic waste discharges "shall meet the applicable control technology currently effective or that which will become effective during the life of the permit. Where this definition is not available or applicable the Department shall set specific parameter limitations using best engineering judgment as defined in 402(a)(1) of the Federal Clean Water Act".

STANDARD CONDITIONS

The standard conditions attached to the draft permit are applied to all NPDES permittees. They reflect requirements of federal (40 CFR 122) and state law (10 CSR 20-Chapter 6) with respect to NPDES permittee duties, responsibilities and liabilities.

